

## RIGHT TO PURSUE INDIANS ACROSS BOUNDARY LINE

*Agreement signed at Washington June 4, 1896*

*Entered into force June 4, 1896*

*Expired in accordance with its terms*

Treaty Series 237

Agreement entered into in behalf of their respective Governments by Richard Olney, Secretary of State of the United States of America, and Matias Romero, Envoy Extraordinary and Minister Plenipotentiary of the United Mexican States, providing for the reciprocal crossing of the international boundary line by the troops of their respective Governments, in pursuit of Kid's band of hostile Indians, on the conditions hereinafter stated.

### ARTICLE I

It is agreed that the regular federal troops of the two Republics may reciprocally cross the boundary line of the two countries when they are in close pursuit of Kid's band of hostile Indians on the conditions stated in the following articles.

### ARTICLE II

It is understood for the purpose of this agreement, that no Indian scout of the Government of the United States of America shall be allowed to cross the boundary line, unless he goes as a guide and trailer, unarmed and with the proviso that, in no case, more than two scouts shall attend each company or detachment.

### ARTICLE III

The reciprocal crossing agreed upon in Article I shall only take place in the uninhabited or desert parts of said boundary line. For the purposes of this agreement the uninhabited or desert parts are defined to be all points that are at least ten kilometers distant from any encampment or town of either country.

### ARTICLE IV

No crossing of troops of either country shall take place from Capitán

Leal, a town on the Mexican side of the Rio Grande, eighty-four kilometers (52 English miles) above Piedras Negras, to the mouth of the Rio Grande.

#### ARTICLE V

The Commander of troops crossing the frontier in pursuit of Indians, shall, at the time of crossing, or before if possible, give notice of his march to the nearest military commander, or civil authority, of the country whose territory he is about to enter.

#### ARTICLE VI

The pursuing force shall retire to its own territory as soon as it shall have chastised Kid's band of hostile Indians, or have lost its trail; but if, during the pursuit of that band, it shall meet with other hostile Indians, it may chastise them as if those first named were concerned. In no case shall the forces of the two countries, respectively, establish themselves or remain in the foreign territory for any time longer than is necessary to enable them to pursue the band whose trail they are following.

The temporary loss of the trail, owing to rain or any other accident, shall not be deemed sufficient cause for abandoning the pursuit or for withdrawing the pursuing force, when there is a reasonable prospect of soon finding the trail again by means of a continued movement.

#### ARTICLE VII

Any abuses that may be committed by the forces crossing into the territory of the other nation, shall be punished by the Government to which such forces belong, according to the gravity of the offence and in conformity with its laws, as if the abuses had been committed in its own territory, the said Government being further under obligation to withdraw the guilty parties from the frontier.

#### ARTICLE VIII

In the case of offences committed by the inhabitants of one country against the force of the other that may be within the limits of the former, the Government of said country shall only be responsible to the Government of the other for denial of justice in the punishment of the guilty parties.

#### ARTICLE IX

This provisional agreement shall remain in force until Kid's band of hostile Indians shall be wholly exterminated or rendered obedient to one of the two Governments.

ARTICLE X

The Senate of the United Mexican States having authorized the President to conclude this agreement, it shall take effect immediately.

In testimony whereof we have signed this agreement this 4th day of June, 1896.

RICHARD OLNEY  
M. ROMERO